

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

NORTHSTAR AVIATION L.L.C., *et al.*,)

Plaintiffs/Counterclaim Defendants,)

v.)

ALDEN BURT ALBERTO,)

a/k/a Reno Alberto,)

Defendant/Counterclaim Plaintiff.)

C. A. No. 1:18cv191-TSE-JFA

**PLAINTIFFS'/COUNTERCLAIM DEFENDANTS' MOTION *IN LIMINE* TO
EXCLUDE TESTIMONY FROM DEFENDANT'S/COUNTERCLAIM PLAINTIFF'S
RETAINED EXPERT, BRUCE BENESH**

Plaintiffs/Counterclaim Defendants NorthStar Aviation L.L.C. and NorthStar Aviation USA, LLC (collectively, “NorthStar”) move *in limine* to exclude testimony at trial from Defendant/Counterclaim Plaintiff Alden Alberto’s (“Alberto”) expert, Bruce Benesh. As discussed in NorthStar’s supporting memorandum of law, incorporated herein by reference, the opinion offered by Mr. Benesh does not meet the standards of relevance and reliability required under Rules 702 and 703 of the Federal Rules of Evidence and controlling legal precedent, and Alberto, therefore, cannot meet his burden of demonstrating that opinion’s admissibility. To the extent Mr. Benesh purports to rebut the opinion offered in this action by NorthStar’s expert, Leslie Robson, Mr. Benesh also fails to qualify as a rebuttal witness. For these reasons, Mr. Benesh’s testimony should be excluded.

Dated: February 7, 2019

Respectfully submitted,

NORTHSTAR AVIATION L.L.C. and
NORTHSTAR AVIATION USA, LLC

By: DUNLAP BENNETT & LUDWIG PLLC

/s/ Kevin T. Streit

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CERTIFICATE OF SERVICE

I hereby certify that on this, the 7th day of February, 2019, I electronically filed the foregoing with the Clerk of the Court using the Court's CM/ECF system, which will send notification of such filing to the following:

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